Supreme Court, U. S.
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IN THE

Supreme Court of the United States

OCTOBER TERM, 1975

No. 75-1418

THE CITY OF CHICAGO, a municipal corporation; RICHARD J. DALEY, Mayor of the City of Chicago; and JAMES B. CONLISK, JR., Superintendent of the Chicago Police Department,

Petitioners,

vs.

CONFEDERATION OF POLICE, a not-for-profit corporation, and the Class of the Confederation of Police, by JAMES M. JOHNSON, JAMES T. BRUCE, FRANK GRASZIER, JOHN BURSINSKI, THOMAS HOFFMAN and JACK HAWKONSEN,

Respondents.

REPLY OF PETITIONERS TO BRIEF IN OPPOSITION TO PETITION FOR A WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE SEVENTH CIRCUIT

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The suggestion of Respondents that the case is not mature for review by this Court is untrue. The United States Court of Appeals for the Seventh Circuit has held that the Illinois civil service tenure statute (Ill. Rev. Stat. 1973, ch. 24, par. 10-1-18.0) establishes a property interest entitlement to grievance procedures in disputes involving conditions of employment. Petitioners seek review of that ruling. It is not necessary that the scope

and procedural form of a grievance procedure be established in detail upon remand to the District Court in order for this Court to resolve the issue of whether or not there is a constitutional right to such a procedure. The complete trial of the case in the District Court has already afforded Respondents unlimited opportunity to establish the employment interests which are at stake. Further proceedings upon remand cannot define the constitutional issue more clearly. Moreover, regardless of the nature or scope of the grievance procedure which might be imposed upon Petitioners pursuant to further District Court proceedings, a renewed appeal by Petitioners would be inevitable for the issue of constitutional entitlement to hearings in public employment matters other than employment retention has implications of inestimable significance to Petitioners.

Review by this Court at this time is of special importance for another reason. It is anticipated by Petitioners that the decision of the Court of Appeals will be the basis of legal efforts by various civil service employment groups to obtain grievance and collective bargaining procedures. It can reasonably be assumed that numerous public employers in addition to the City of Chicago will be similarly affected. Considerations of both judicial economy and the public interest in an expeditious resolution of a significant public employment issue accordingly support review by this Court at the earliest possible time.

CONCLUSION

For the foregoing reasons and for the reasons presented in Petitioners' original Petition a writ of certiorari should issue to review the judgment and opinion of the Court of Appeals for the Seventh Circuit.

Respectfully submitted,

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May 11, 1976